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Oct 08 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LAURENS COUNTY
Patrick C. Fant, III, Circuit Court Judge

Appellant Case No. 2026-001298

Veranda Homes, LLC, Veranda Land Entitlement, LLC, and
Bush River Sporting Clays Properties, LLC,..... Respondents,

v.

Laurens County, South Carolina and Laurens County
Planning Commission, Appellants.

MOTION FOR STAY OF APPEAL

The Appellants Laurens County and Laurens County Planning Commission respectfully move this Court for a stay of the appeal for a period of 120 days and that all deadlines be held in abeyance during that stay.

The Appellants' motion is based on the following grounds:

1. This appeal involves a residential development known as Cambridge Farms which was intended to be constructed in Laurens County on a tract that bordered the corporate limits of the City of Clinton. By Order filed May 13, 2026, the Circuit Court reversed the Laurens County Planning Commission's decision denying the Second Revised Major Subdivision Preliminary Plat

submitted by the Respondents for the Cambridge Farms development. The Appellants then appealed from that Circuit Court Order.

2. During the pendency of this appeal, an annexation initiative has proceeded for the tract of property on which Cambridge Farms is to be developed to be annexed into the corporate limits of the City of Clinton. An annexation ordinance with given favorable first reading at a meeting of the Clinton City Council on September 14, 2026. On this past Monday, October 5, 2026, the Clinton City Council gave second reading and adopted the annexation ordinance for the Cambridge Farms property. As a result, the City of Clinton has annexed the subject property into the City. From this point forward, the development of the property will be governed by the City planning and zoning ordinances. In the view of the Appellants, once the annexation is final and can no longer be challenged, the issues on appeal become moot.

3. The Appellants recognize that, according to S.C. Code Ann. § 5-3-270, the recently-enacted annexation ordinance is subject to being challenged or contested for a period not to exceed ninety days from the date that the annexation has been “published or declared.” S.C. Code Ann. § 5-3-270. *See, State ex rel. Condon v. City of Columbia*, 339 S.C. 8, 528 S.E.2d 408, 411 (2000) (recognizing that “the ninety-day deadline is the statute of limitations that usually applies in annexation matters”).

4. Accordingly, the Appellants seek a stay of 120 days to make certain that the annexation of the subject property into the City of Clinton is final, which will render this appeal moot. For reasons of judicial economy and to preserve the resources of the litigants, and with the apparent likelihood that this appeal will be rendered moot within those 120 days, the Appellants submit that this brief stay is appropriate and warranted.

5. The undersigned counsel has attempted to consult with the Respondents' counsel prior to the filing of this motion but was unable to obtain their position prior to filing.

WHEREFORE, the Appellants Laurens County and Laurens County Planning Commission respectfully request that the Court grant a stay of this appeal for a period of 120 days for reasons of judicial economy and for the reasons stated herein. The Appellants further ask that all deadlines, including the deadline for the filing of initial briefs, be held in abeyance.

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CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court's Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (as Amended April 24, 2024), the undersigned employee of Lindemann Law Firm, P.A., counsel for the Appellants, does hereby certify that service of the **Motion for Stay of Appeal** in the above-captioned matter was made upon all counsel of record by email only this the 8th day of October 2026, as follows:

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